

Request for an Extension of Time

The Applicant requests a three month extension of time under the provisions of 37 CFR 1.136(a), in which to respond to the Office Action. Payment of the appropriate fee in respect of a small entity, is included with this submission.

I confirm that I am the Agent of Record for this application.

Request for Continued Examination (RCE)

The Applicant submits herewith, a Request for Continued Examiner (RCE). Payment of the appropriate fee in respect of a small entity, is also included with this submission.

Remarks:

Claim Status

Claims 1 to 15 stand of record in the present application. Claim 16 was previously cancelled. All claims currently stand rejected.

In response to the various issues raised in the Action, the Applicant has cancelled Claims 1 and 14, and has replaced them with new Claims 17 and 18 respectively. The scope of new Claims 17 and 18 has been restricted in order to expedite prosecution of this application. The Applicant contends that the amendments to the claims are based on the subject matter cancelled from various claims, and/or are provided in the application as originally filed. In particular, the Examiner is directed to Figure 2, and the related description.

As such, the subject matter of Claims 17 and 18, as presently claimed, does not constitute additional or new subject matter.

Further, as a result of the addition of Claims 17 and 18, Claims 2, and 9 to 11, have also been cancelled.

As such, only Claims 3 to 8, 12, 13, 15, 17 and 18 remain in the present application.

Moreover, since the number of independent claims is still less than 3, and the total number of claims is less than 21, the Applicant contends that no additional claim fees are payable in respect of these amendments.

Accordingly, in view of the amendments made herein, the Applicant provides the following specific comments on the Office Action. However, with the amendments made herein, it is believed that the rejections previously made, have been obviated.

Rejection Under 35 USC 102

Claims 1 to 5, 7 to 9, 12, and 13 currently stand rejected under 35 USC 102(b) as being anticipated by US Patent No. 6036146 (hereinafter “Paterson”). The Applicant respectfully traverses this rejection, particularly in view of the amendments made herein.

Paterson provides a device having a single function namely attaching to a horizontal I-beam, and then having a stanchion that extends upwards from the I-beam. At the end of the stanchion, a single device (whether a winch, an eye bolt, or a ring). The eye bolt and the ring are welded to the stanchion (see Col. 4, lines 17 and 55). Together with the stanchion which holds the winch, the user is required to stock and maintain at least 3 different types of stanchions; - each of which is different from the other, and not interchangeable.

These components cannot be substituted one for the other, and are not interchangeable. As such, three different devices must be stored and used in order to practise the present invention.

In contrast, the device of the present invention provides a base assembly which can be used with any device, including a winch. Further, each base assembly provides an attachment clip that can be used to attach a cable from a winch.

As such, a common device is provided that can be readily and easily used, and interchanged for different applications, as required by the user. Further, the user is only required to stock one type of base assembly.

Further, this base assembly (without a stanchion) can be used on a vertical or horizontal I-beam, and thus, the single base assembly has even better functionality for a wider variety of uses, than the Paterson device.

Additionally, the present device also includes a cable attachment clip, and thus, the base unit can be used regardless of whether a specific attachment has been attached to the mounting attachment. Further, when a device is attached to the mounting attachment, each base unit has at

least 2 different functionalities.

Further, the device as currently claimed, provides a crank mechanism which can be used to quickly and rapidly attach the base unit to the frame member. This rapid attachment method provides a significant functional advantage over the Paterson device.

Accordingly, the present invention, as currently claimed, provides a significant advantage over the device of Paterson. Further, since the Paterson device does not provide the features now claimed in the present application, the Applicant contends that the present device is not anticipated by the Paterson document. Accordingly, the Applicant contends that the objection to the claims under 35 USC 102, should be withdrawn.

Rejection Under 35 USC 103

Claims 6, 10, 11, 14 and 15 stand rejected under 35 USC 103(a) as being obvious over Paterson.

In view of the comments provided hereinabove, and the amendments made to the claims, the Applicant contends that the features of the present invention, as currently claimed, are not obvious over the cited prior art.

Clearly Paterson does not provide, or make obvious, a device having a crank handle for attachment, interchangeable features, attachment clips, or provide a device having multiple use applications. The combination of these features provide a device having significant non-obvious advantages over the Paterson device.

None of these features are provided by the Paterson device, and the combination of these features is not an obvious modification of the Paterson device.

Accordingly, in view of the amendments made herein, the Applicant contends that the rejection of the claims under 35 USC 103(a) should be withdrawn.

Summary

The Applicant therefore contends that with this submission, a full and complete response to the Office Action has now been submitted. Further, the Applicant respectfully contends that the present application, as amended, is now allowable, and as such, respectfully solicits a Notice of Allowance at the earliest opportunity.

Respectfully submitted,
Gowan Intellectual Property

A handwritten signature in black ink, appearing to read 'G. Gowan', with a stylized flourish at the end.

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